

(R-93-1238)

RESOLUTION NUMBER R-281403

ADOPTED ON JANUARY 26, 1993

WHEREAS, Robert H. Hagey, Jr., Robert Hagey, Reese Milner, and Project Design Consultants, submitted an application to the Planning Department for an extension of time to Vesting Tentative Map No. 88-0481 (Golden Triangle Research Center) for the subdivision of a 7.5 acre site into two parcels for industrial/scientific research development, located on the south side of Eastgate Mall between Town Center Drive and Interstate 805, and described as a portion of Pueblo Lot 1307, Pueblo Lands of San Diego, Miscellaneous Map No. 36, in the University Community Plan area, in the R1-5000 (proposed SR) zone; and

WHEREAS, on December 10, 1992, the Planning Commission recommended approval of Vesting Tentative Map No. 92-0443 extending Vesting Tentative Map No. 88-0481; and

WHEREAS, the matter was set for public hearing on January 26, 1993, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Vesting Tentative Map No. 92-0443:

1. The map proposes the subdivision of a 7.5-acre site into two parcels for industrial/scientific research development. This type of development is consistent with the General Plan and the University Community Plan which designate the area for industrial/scientific research use. The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the SR zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a planned industrial development (PID) permit.

b. All lots meet the minimum dimension requirements of the SR zone, as allowed under a PID.

c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations, as allowed under a PID.

d. Development of the site is controlled by Planned Industrial Development Permit No. 92-0443 (extension of time to PID No. 88-0481).

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating and cooling opportunities.

4. The site is physically suitable for industrial/scientific research development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is physically suitable for the proposed density of development. This is consistent with the community plan, which provides for industrial/scientific research uses.

6. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of Negative Declaration No. 88-0481 which is included herein by this reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities, as well as other related public services.


8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained; and Vesting Tentative Map No. 92-0443 is hereby granted, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By


Harold O. Valderhaug
Chief Deputy City Attorney

HOV:lc
03/17/93
Or.Dept:Clerk
R-93-1238
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CITY COUNCIL CONDITIONS FOR
VESTING TENTATIVE MAP NO. 92-0443

1. This tentative map will expire June 8, 1995, after being effective for six (6) years, concurrently with the Rezoning. If the Rezoning is denied by City Council, this tentative map shall be deemed denied.
2. The final map shall conform to the provisions of Planned Industrial Development (PID) Permit No. 92-0443 (Extension of Time to PID 88-0481).
3. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

4. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
5. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
6. Every final map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better, as published in the County of San Diego's Horizontal

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Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

7. Prior to the recordation of the final map, the subdivider shall file a final map to adjust the boundary of Lots 9 and 10 per the revised tentative map of Eastgate Technology Park, TM 88-0076, which resulted from the revised alignment of Judicial Drive.

This requirement may be waived if the City includes these lots with the filing of Unit 3 prior to the recordation of this final map.

8. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
9. All rights-of-way required to be dedicated with this map must be free and clear of all encumbrances and prior easements. The subdivider must secure from an easement grantee a subordination agreement for distribution facilities located within the dedication or, in the case of major transmission facilities, a joint-use agreement.
10. Judicial Drive is classified as a four-lane major street within a 98-foot-wide right-of-way. The subdivider shall dedicate 104 feet and 52 feet, to allow for noncontiguous sidewalk, full- to half-width improvements, that includes paving, curb, gutter, six-foot-wide sidewalk with a seven-foot-wide parkway, paving, and a 14-foot-wide raised-landscaped-center median between Nexus Centre Drive and Executive Drive, satisfactory to the City Engineer. A median break will not be allowed at Nexus Centre Drive.
11. Executive Drive is classified as a two-lane local industrial street within a 64-foot-wide right-of-way and a 30-foot-wide light-rail transit (LRT) facility located in the center. The subdivider shall dedicate 47 feet of half-width right-of-way and provide for curbs located ten feet from property, five-foot-wide sidewalk located noncontiguous to the curb, and 22 feet of paving, satisfactory to the City Engineer. The 15-foot-wide LRT strip between pavement and subdivision boundary shall be graded, but otherwise unimproved.
12. Nexus Centre Drive is classified as an industrial local street within a 64-foot-wide right-of-way. The subdivider

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shall provide full half-width improvements of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.

13. Prior to the recordation of the final map, the subdivider shall pay to the City cash in the amount of \$26,250 as this subdivider's share of the traffic signal system at Judicial Drive and Executive Drive, satisfactory to the City Engineer.
14. Water Requirements:
 - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
 - b. The developer shall install twelve-inch water mains in Executive Drive, Judicial Drive, and Nexus Centre Drive, satisfactory to the Water Utilities Director,
15. Sewer Requirements:
 - a. The developer shall install a system of minimum ten-inch gravity sewer mains of adequate capacity to serve this development, satisfactory to the Water Utilities Director.
 - b. The developer shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and grade of the sewer will provide adequate capacity and cleansing velocities.
16. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer mains in previously approved subdivisions in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
17. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading

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activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the undersigned and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWG, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

18. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been established to finance the public facilities required for the community plan area.

Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the City Engineer. This compliance shall be achieved by entering into an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

19. This property may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the North University Community Plan area.
20. This subdivision may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
21. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.
22. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the

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Engineering & Development Department for each final map processed in connection with this vesting tentative map.

23. This vesting tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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JAN 26 1993

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Mary Cepeda Deputy.

Office of the City Clerk, San Diego, California

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